

PROCEEDINGS OF THE CITY-PARISH COUNCIL MEETING OF THE CITY-PARISH OF LAFAYETTE, STATE OF LOUISIANA, TAKEN AT A REGULAR MEETING OF FEBRUARY 4, 2003.

ATTENDANCE

COUNCIL: Jerry Trumps (Chair - District 6), Robert Castille (Vice Chair - District 2), Bobby Badeaux (District 1), Chris Williams (District 3), Louis C. Benjamin, Jr. (District 4), Marc Mouton (District 7), Rob Stevenson (District 8), Randy Menard (District 9)

ABSENT: Lenwood Broussard (District 5)

COUNCIL STAFF: Norma Dugas (Clerk of the Council), Veronica Williams (Assistant Clerk of the Council) and Monica Fontenot (Administrative Assistant)

ADMINISTRATIVE STAFF: Walter S. Comeaux, Jr. (City-Parish President), Glenn Weber (CAO), Steve Dupuis (City-Parish Attorney), Becky Lalumia (Director of Finance), Chief Ronald Boudreaux (Police Department), Chief Robert Benoit (Fire Department), Terry Huval (Director of Utilities), Benny Soulier (Director of Administrative Services), John Raines (Director of Public Works), Tony Tramel (Director of Traffic & Transportation), Gerald Boudreaux (Director of Parks and Recreation), Robert Benoit (Director of Planning, Zoning & Codes), Tim Breaux (Director of Community Development)

COMMENCEMENT

(TAPE 1)(SIDE B)(039)AGENDA ITEM NO. 1: Call to order.

Chair Jerry Trumps called the Regular Council Meeting of February 4, 2003 to order.

(TAPE 1)(SIDE B)(041)AGENDA ITEM NO. 2: Invocation and Pledge of Allegiance.

Councilmember Bobby Castille was called upon to deliver the invocation and lead the Pledge of Allegiance.

(TAPE 1)(SIDE B)(063)AGENDA ITEM NO. 3: **EXECUTIVE/PRESIDENT’S REPORT**

City-Parish President Comeaux introduced Barbara Adams of the Coast Guard Auxiliary, who was present to give a brief explanation on the functions and accomplishments of the Auxiliary. Mr. Comeaux also read a statement with regard to a recent ruling on a lawsuit between LCG and the Fire and Police Associations.

(TAPE 1)(SIDE B)(170)AGENDA ITEM NO. 4: **CEREMONIAL PRESENTATIONS**

- Presentation of a “Distinguished Citizen Award” to Ms. Dolores Cormier-Zenon on being selected as the 1st African American in Lafayette Parish to be certified as a National Board of Certified Teacher.
- Presentation of a “Distinguished Citizen Award” to Ms. Sylvia Mouton on being selected as the 1st African American President of the Lafayette Board of Realtors.
- Presentation of a “Distinguished Citizen Award” to Ms. Geralyn C. Shelvin who was elected as Supreme Navigator of the meritorious 4th Degree Ladies of Grace Division of the Knights and Ladies of Peter Claver.

These awards were presented by Councilman Williams on behalf of Black History Month.

(TAPE 1)(SIDE B)(238)AGENDA ITEM NO. 5: **COUNCIL ANNOUNCEMENTS**

Councilman Benjamin read a letter received from a constituent on concerns with bills received for violations of the alarm ordinance. Holy Family School has received numerous fines for false alarms but didn’t find it justifiable since passing trains triggered the false alarms. Councilman Williams expressed his condolences to the family of Joel Foote who recently passed away. Councilman Badeaux requested information regarding residents who are in violation of the garbage pickup contract.

ORDINANCES FOR FINAL ADOPTION

(TAPE 1)(SIDE B)(300)AGENDA ITEM NO. 6: O-025-2003 An ordinance of the Lafayette City-Parish Council amending Sections 34-31, 34-78, 34-79 and 34-80 and enacting 34-81 of the Lafayette City-Parish Consolidated Government Code of Ordinances to redefine a junked motor vehicle and to further provide for the disposal of same. A motion to approve as amended by Stevenson, seconded by Castille, and the vote was as follows:

YEAS: Badeaux, Castille, Williams, Benjamin, Trumps, Mouton, Stevenson, Menard

NAYS: None

ABSENT: Broussard

RECUSED: None

Motion was approved as amended.

Upon questioning by Williams, Assistant City-Parish Attorney John Mouton explained the first amendment eliminates the notification of the occupant of the property whether that is the owner of the vehicle or the property owner. Notice will be sent if someone other than the owner of the property owns the vehicle, will be posted on the vehicle and submitted to the owner. There will be a certified letter mailed to notify the owner of the property because either one of them could be held responsible for the removal of the vehicle. If the property is considered rental property, the occupant of the rental property could be pursued.

The second amendment provides for this matter to be handled by the Criminal Justice Support Services Division of the CAO's office instead of Public Works.

Menard offered a motion, accepted by the maker and second, to make the following amendments: *Section 3 – change B to C due to typographical error and in Section 3B omit “the sum of \$100.00” and replace “with the amount charged for towing”.*

Upon questioning by Stevenson and Badeaux, Mouton explained the chances of LCG recovering costs would be slight if the owner of the vehicle would walk away and encouraged the Administration, as a matter of policy, to pursue the owner of the vehicle before the landowner. Badeaux didn't believe it was fair to the property owner to incur costs with regards to the negligence of the occupant. Upon questioning by Williams, Marcus Bruno, Criminal Justice Support Services Administrator, explained after speaking with several towing companies, the feedback was negative. The towing companies didn't feel the value of the vehicle was worth the towing. However, a towing company in Carencro agreed to tow and dispose of the vehicle for \$198.00 per vehicle. If an agreement is made with a vendor, the vehicle is towed and if the owner does not respond within 15 days, the vendor is responsible for disposing of the vehicle. If a vehicle is more than 10 years old, there would be no storage fees.

(TAPE 2)(SIDE A)(001)

The following person was recognized:

Joe Dennis encouraged the Council to adopt an ordinance that would be enforceable. He is concerned with the issue and felt it to be a serious problem.

Councilman Mouton opined the towing companies tend to be selective of what vehicles they will pick up, therefore, the matter should be handled contractually to ensure a guaranteed price for at least one year. Badeaux opined he did not understand why LCG couldn't mock the Baton Rouge ordinance which has a contract with one towing company who handles all tows throughout the City of Baton Rouge.

After further discussion, Williams offered a substitute motion, which was not accepted by maker and second, therefore Benjamin seconded the motion to *“reinstate the language as presented”* and the vote was as follows:

YEAS: Williams, Benjamin, Mouton

NAYS: Badeaux, Castille, Trumps, Stevenson, Menard

ABSENT: Broussard

RECUSED: None

Motion was defeated.

(TAPE 2)(SIDE A)(452)AGENDA ITEM NO. 7: O-026-2003 An ordinance of the Lafayette

City-Parish Council amending the FY 02/03 Operating Budget of the Lafayette City-Parish Consolidated Government to change the classification of two Secretary II positions to two Senior Paralegal positions. A motion to approve by Menard, seconded by Mouton, and the vote was as follows:

YEAS: Castille, Williams, Benjamin, Trumps, Mouton, Stevenson, Menard

NAYS: Badeaux

ABSENT: Broussard

RECUSED: None

Motion was approved

Upon questioning by Williams, Weber explained the request is to reclassify two current Secretary II positions to two Senior Paralegal positions with no change in salary.

(TAPE 2)(SIDE A)(499)AGENDA ITEM NO. 8: O-027-2003 An ordinance of the Lafayette City-Parish Council amending the FY 02/03 Operating Budget of the Lafayette City-Parish Consolidated Government authorizing the increase of revenues in the amount of \$12,909.00 received from the Louisiana Commission on Law Enforcement (LCLE) through the Evangeline Law Enforcement Council (ELEC), and appropriating to the Lafayette City Police Department Criminal Investigations Division (hereinafter “LPD”) for the administration of the VAWA Grant for the purpose of domestic violence intervention and assisting the domestic violence victims. A motion to approve by Stevenson, seconded by Mouton, and the vote was as follows:

YEAS: Badeaux, Castille, Williams, Benjamin, Trumps, Mouton, Stevenson, Menard

NAYS: None

ABSENT: Broussard

RECUSED: None

Motion was approved

(TAPE 2)(SIDE A)(518)AGENDA ITEM NO. 9: O-028-2003 An ordinance of the Lafayette City-Parish Council amending the Lafayette City-Parish Consolidated Government Code of Ordinances, Section 86-405, Long Term Parking in Parking Garage. A motion to approve by Williams, seconded by Castille, and the vote was as follows:

YEAS: Badeaux, Castille, Williams, Benjamin, Trumps, Mouton, Stevenson, Menard

NAYS: None

ABSENT: Broussard

RECUSED: None

Motion was approved

Upon questioning by Mouton, Tramel explained the parking charge on the top level of the parking garage will add potential revenues.

(TAPE 2)(SIDE A)(591)AGENDA ITEM NO. 10: O-029-2003 An ordinance of the Lafayette City-Parish Council authorizing the acquisition of certain land for an expansion of the Lafayette Utilities System facilities situated on Walker Road. A motion to approve by Mouton, seconded by Menard, and the vote was as follows:

YEAS: Badeaux, Castille, Trumps, Mouton, Stevenson, Menard

NAYS: Williams, Benjamin

ABSENT: Broussard

RECUSED: None

Motion was approved.

Huval explained LUS has expressed interest in purchasing property surrounding the Walker Road facilities, as it would become available. The purchase would allow for expansion as well as to develop a buffer. If LUS would not be allowed to purchase the property, there would be no chance of development and no control of any other developments that might occur. Williams expressed his concerns regarding notification and input from the residents and supported Benjamin’s motion to defer until such time that occurred.

(TAPE 2)(SIDE B)(001)

Upon questioning by Castille, Huval reiterated the purchase of the property places the land in the care of LUS’ hands and any improvements will include input from the residents.

After detailed discussion, Benjamin offered a motion to defer the ordinance, seconded by Williams, until the area residents could be notified and the vote was as follows:

YEAS: Badeaux, Williams, Benjamin
NAYS: Castille, Trumps, Mouton, Stevenson, Menard
ABSENT: Broussard
RECUSED: None

Motion was defeated.

(TAPE 2)(SIDE B)(086) AGENDA ITEM NO. 11: O-030-2003 An ordinance of the Lafayette City-Parish Council amending the FY 02/03 Operating Budget of the Lafayette City-Parish Consolidated Government by authorizing the increase of revenues in the amount of \$20,000 from Housing Counseling Service Grant funds received from the U.S. Department of Housing and Urban Development and appropriating within the Department of Community Development.

A motion to approve by Mouton, seconded by Menard, and the vote was as follows:
YEAS: Badeaux, Castille, Williams, Benjamin, Trumps, Mouton, Stevenson, Menard
NAYS: None
ABSENT: Broussard
RECUSED: None
Motion was approved.

(TAPE 2)(SIDE B)(100) AGENDA ITEM NO. 12: CONSIDER APPOINTMENTS BY THE COUNCIL, AS A WHOLE, TO FOLLOWING BOARDS/COMMISSIONS

12. Appointment of **Dr. Jean Kreamer** to the Library Board of Control to fill an unexpired term until January 7, 2005.

A motion to appoint Dr. Jean Kreamer was offered by Stevenson.
A motion to appoint Janice Vildibill was offered by Menard.
A motion to appoint Isaac Jones, Jr was offered by Benjamin.
And the vote was as follows:

Kreamer: Badeaux, Trumps, Stevenson
Vildibill: Mouton, Menard
Jones: Castille, Williams, Benjamin

Due to a tie vote between Kreamer and Jones, another vote was taken and was as follows:
Kreamer: Badeaux, Trumps, Mouton, Stevenson, Menard
Jones: Castille, Williams, Benjamin

The motion to appoint **Dr. Jean Kreamer** to the Library Board of Control was approved.

(TAPE 2)(SIDE B)(133) AGENDA ITEM NO. 13: Appointment(s) by Council member(s) and/or City-Parish President and/or Area Mayors, and/or any other direct appointing authority.

<u>Appointing Authority</u>	<u>Appointee Name And Address</u>	<u>Board, Commission And/or Legal Agency</u>	<u>Term</u>	<u>Effective Date</u>
Downtown Lafayette Unlimited	John N. Chappuis 121 Hillside Drive Lafayette, LA 70502	Downtown Development Authority	3 years	02/15/2003
District 1	Richard Odom 114 Basile Road Scott, LA 70583	Board of Codes & Flood Plain Adjustment	4 years	01/19/2003
C-P President	Sharon Bourgeois 112 Canterbury Rd Lafayette, LA 70503	Lafayette Natural History Museum Commission	4 years	02/02/2003

At this time, Williams requested John Raines, Public Works Director, give the public an update on the opening of the Jefferson Street Underpass. Raines responded should there be no further complications or delays, the underpass should open within the next three weeks.

(TAPE 2)(SIDE B)(164) AGENDA ITEM NO. 14-22: A motion was offered by Stevenson, seconded by Mouton, to approve for introduction the following ordinances, in-globo, and the vote was as follows:
YEAS: Badeaux, Castille, Williams, Benjamin, Trumps, Mouton, Stevenson, Menard
NAYS: None
ABSENT: Broussard

RECUSED: None

Motion was approved

INTRODUCTORY ORDINANCES

14. O-031-2003 An ordinance of the Lafayette City-Parish Council authorizing a \$7,000 funding to the Lafayette Fire Protection Association to hire a consultant to assist it with the upcoming public fire protection survey to be performed by Property Insurance Association of Louisiana.
15. O-032-2003 An ordinance of the Lafayette City-Parish Council authorizing the Lafayette City-Parish Consolidated Government to sell fifty-five (55) surplus golf carts which are no longer needed for public purposes to EZ-GO/LA. for a total bid price of \$70,700.00, as per the attached list.
16. O-033-2003 An ordinance of the Lafayette City-Parish Council amending the FY 02/03 Operating Budget of the Lafayette City-Parish Consolidated Government by authorizing the Administration to increase supervisors salaries in accordance with Civil Service Rule IV, Section 13 "Supervisor Pay Differential" within the Department of Public Works.
17. O-034-2003 An ordinance of the Lafayette City-Parish Council authorizing the Lafayette City-Parish President to amend a lease with the Department of Veterans Affairs Medical Center to provide for the VA Community Based Outpatient Clinic to remain in the transition clinic space for an additional 120 calendar days.
18. O-035-2003 An ordinance of the Lafayette City-Parish Council authorizing and directing the Lafayette City-Parish President to execute an amendment to the agreement with the United States Postal Service for the lease of space at 103 East Cypress Street for the exclusive use as a Post Office.
19. O-036-2003 An ordinance of the Lafayette City-Parish Council amending the FY 02/03 Operating Budget of the Lafayette City-Parish Consolidated Government to recognize a \$2,000.00 donation from Lafayette General Medical Center and assigning the funds received to the proper budgetary accounts within the Department of Community Development.
20. O-037-2003 An ordinance of the Lafayette City-Parish Council authorizing the Lafayette City-Parish President to execute an Act of Donation in order to receive property donated by Gwendolyn Theresa Sam Harmon, Conrad Ignatius Harmon and Corey RaJohn Harmon for use by the Community Development Department.
21. O-038-2003 An ordinance of the Lafayette City-Parish Council amending the FY 02/03 Operating Budget of the Lafayette City-Parish Consolidated Government to increase revenues and appropriations in the Environmental Quality Fund to provide \$355,754 for reimbursement of General Fund advances for the local share of Hurricane Lili debris removal costs; \$185,000 for household hazardous waste collection and disposal; \$19,886 for the employment of one (1) Engineering Aide III in the Regulatory Compliance Section of the Environmental Quality Division of the Department of Public Works, including amending the manning tables to include the above mentioned position; and establishing a residential rate of \$3.46 per residential unit per month for operation of the Environmental Quality Division.
22. O-039-2003 An ordinance of the Lafayette City-Parish Council authorizing the Lafayette City-Parish President to enter into a joint cooperative endeavor agreement with the Acadiana Arts Council to provide pickup and storage of the statue of "Ms. Rose's Bar".

23. Comments from the public concerning the above Introductory Ordinances.

The following person was recognized:

Lewis Kellogg expressed his concerns regarding Item #21 on the subject of garbage pickup for apartments and businesses and why they are excluded from sharing the environmental costs. He also questioned what process was being used to clean the coulees. Chair Trumps requested Raines submit a response to Mr. Kellogg with a copy to the Council prior to final adoption.

ADJOURN

There being no further business to come before the Council, Chair Trumps declared the regular Council meeting adjourned.

Norma A. Dugas
Clerk of the Council